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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE DIET DRUGS (Phentermine/
Fenfluramine/Dexfenfluramine)
PRODUCTS LIABILITY LITIGATION

MDL Docket No. 1203X

THIS DOCUMENT RELATES TO:

FILED

SHEILA BROWN, SHARON GADDIE,
VIVIAN NAUGLE, QUINTIN LAYER,
and JOBY JACKSON-REID
Individually and all others similarly situated,

NOV 24 1999
MICHAEL E. KUNZ, Clerk
By *[Signature]* Dep. Clerk

Plaintiffs,

CIVIL ACTION NO. 99-20593 *file*

v.

AMERICAN HOME PRODUCTS
CORPORATION,

JURY TRIAL DEMANDED

Defendant.

PRETRIAL ORDER NO. 998

AND NOW, this 24th day of November, 1999, upon consideration of
the Joint Motion for an Order Supplementing PTO No. 997 it is hereby,

ORDERED, ADJUDGED and DECREED that:

1. in connection with the plan of notice for the Nationwide Class Action Settlement Agreement with American Home Products Corporation, the parties shall cause the summary notice attached hereto as Exhibit "A" to be published in trade publications as provided in page 29 and Appendix VII of the Plan of Media Notice appended to the Settlement Agreement as Exhibit 16; and
2. the notice to be transmitted by mail to physicians in connection with the settlement shall be in the form of the notice attached to this Order as Exhibit "B" rather than the form of notice attached as Exhibit 18 to the Settlement Agreement.

BY THE COURT:

[Signature]
The Honorable Louis C. Bechtie
Chief Judge Emeritus

OFFICIAL COURT NOTICE

ATTENTION [INSERT PICTURE]
PHYSICIANS AND PHARMACIES
WITH “FEN-PHEN,” PONDIMIN® OR
REDUX™ PATIENTS
IMPORTANT NOTICE

- If your patient took the diet drugs Pondimin® and/or Redux™, or
- If your patient took the diet drug combination popularly known as “Fen-Phen,”

YOU SHOULD READ THIS INFORMATION.

Thousands of consumers throughout the country have filed lawsuits claiming that they were injured or placed at an increased risk of injury as a result of taking Pondimin®, Redux™ and/or “Fen-Phen.” These lawsuits claim, among other things, that taking the diet drugs Pondimin® and/or Redux™, or the combination of drugs known as “Fen-Phen,” may produce lesions or abnormalities in the heart valves of some people. These lesions can cause abnormal blood flow in the heart which may be harmful depending on the level of abnormal blood flow. Such heart valve disease may be without symptoms, but it can be diagnosed through an “echocardiogram”. American Home Products Corporation (“AHP”) was responsible for the sale of Pondimin® and/or Redux™. AHP has defended vigorously against plaintiffs’ lawsuits and disputes the plaintiffs’ claims.

There is a proposed CLASS ACTION SETTLEMENT with AHP that gives all users of these diet drugs the right to receive money, medical testing services, and/or other benefits, depending on the diet drug user’s circumstances. These benefits are summarized in the following chart:

SUMMARY OF SETTLEMENT BENEFITS	PEOPLE WHO USED FEN-PHEN, PONDIMIN® AND/OR REDUX™ FOR 61 OR MORE DAYS	PEOPLE WHO USED FEN-PHEN, PONDIMIN® AND/OR REDUX™ FOR 60 DAYS OR LESS
Refund: \$30/month for use of Pondimin® \$60/month for use of Redux™	YES (subject to \$500 limit and availability of funds after pay-out of other benefits to class)	YES
Free Echocardiogram and Appointment With Doctor to Discuss the Results	YES	Generally NO, but with exceptions, including humanitarian or compassionate reasons or true financial hardship

SUMMARY OF SETTLEMENT BENEFITS	PEOPLE WHO USED FEN-PHEN, PONDIMIN® AND/OR REDUX™ FOR 61 OR MORE DAYS	PEOPLE WHO USED FEN-PHEN, PONDIMIN® AND/OR REDUX™ FOR 60 DAYS OR LESS
Cash or Medical Services Benefit for Heart Valve Disease According to "FDA Positive" Criteria	\$6,000 in CASH or \$10,000 in Heart Valve Related MEDICAL SERVICES	\$3,000 in CASH or \$5,000 in Heart Valve Related MEDICAL SERVICES
"Matrix" Compensation Benefits for serious Valvular Heart Disease as Described in the Brochure titled "Settlement Matrix Compensation Benefits Guide" (before Court authorized deductions)	Between \$7,389 and \$1,485,000 Depending on Age and Level of Severity	Between \$7,389 and \$297,000 Depending on Age and Level of Severity
Medical Registry to "Track" Condition of Pondimin® and/or Redux™ Users for Purposes of Research and Education	YES	YES
Establishment of a Fund for Medical Research and Education Concerning Cardiovascular Disease	YES	YES

Members of the class have the following rights:

1. The right to choose an "Accelerated Implementation Option" which will allow them to begin receiving Settlement Benefits quickly, regardless of whether the Settlement receives Final Judicial Approval;
2. The right to receive Settlement Benefits in the event that the Settlement receives Final Judicial Approval, if they "Register" for these benefits on time;
3. The right to appear at a hearing on May 1-5, 2000, at the United States District Court, 601 Market Street, Philadelphia, PA 19106 and object to the settlement; and
4. The right to exclude themselves ("opt-out") from the Settlement.

A detailed Notice Package has been prepared which contains the information that your patients should have to determine how the proposed Settlement affects them. The Notice Package also contains forms that your patients must complete in order to "Register" and receive Settlement Benefits, accept the Accelerated Implementation Option, or opt out of the Settlement.

IF YOUR PATIENTS TAKE NO ACTION BEFORE _____, THEY WILL REMAIN IN THE SETTLEMENT AND BE BOUND BY ITS TERMS EVEN IF THEY ARE A MEMBER OF ANOTHER CERTIFIED CLASS.

Your patients can request a copy of the Notice Package by calling the following telephone number: 1-800-xxx-xxxx. They can also request a copy of the Notice Package on the Worldwide Web at the following web address: _____.
They can also view the Notice Package at the same web address.

The United States District Court for the Eastern District of Pennsylvania has directed the publication of this Notice. This Official Notice is not an expression of any opinion of the Court regarding the merits of the litigation and does not reflect findings of fact by the Court.

_____, 1999

Dear Physician:

As you may be aware, a nationwide Class Action Settlement has been reached with American Home Products Corporation that is intended to resolve the claims of individuals who ingested the diet drugs Pondimin® and/or Redux™.

Under the Settlement, patients who took the diet drugs Pondimin® and/or Redux™ have the right to receive a range of benefits, depending on certain factors specified in the Settlement Agreement. Some of these benefits include: heart valve-related medical screening, including a transthoracic echocardiogram and associated interpretive physician visit as part of a Screening Program, ongoing medical services or a cash payment for patients who have been diagnosed with certain levels of heart valve regurgitation, refunds for certain purchases of Pondimin® and/or Redux™, and monetary compensation benefits for patients who are diagnosed with serious heart valve disease.

The enclosed counter card contains information on how patients may obtain further information about the Settlement. Please display the counter card in a prominent location so that your patients may be aware of this information.

Also enclosed is a typical notice package that will be sent to Diet Drug users. If you would like additional copies, please call 1-800-xxx-yyyy.

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA
LOUIS C. BECHTLE, J.